

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CURTIS E. BLACKWELL, II,

Plaintiff,

Case No. 1:18-cv-1261

v.

HON. JANET T. NEFF

LOU ANNA K. SIMON, et al.,

Defendants.

ORDER

Pending before the Court is Plaintiff’s “Emergency Motion for Reconsideration and/or Clarification of Judge Janet Neff’s April 21, 2020 Order Granting in Part and Denying in Part Plaintiff’s Emergency Motion for Clarification” (ECF No. 258). The Court did not request a response from Defendants. *See* W.D. Mich. LCivR 7.4(b).

“[M]otions for reconsideration which merely present the same issues ruled upon by the court shall not be granted. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled, but also show that a different disposition of the case must result from a correction thereof.” W.D. Mich. LCivR 7.4(a).

Here, Plaintiff opines that “it is apparent that a ‘palpable defect’ is present because the Court’s April 21, 2020 order [ECF No. 257] in its present form conflicts with W.D. Mich. LCivR 72.3(b), which provides that a party is entitled to 10,800 words to file its objections to a magistrate judge’s report and recommendation (which is equivalent to approx. 45 pages)” (ECF No. 258 at PageID.3337). The Court disagrees. It is within the Court’s discretion to shorten or enlarge any time, word count, or page limit established by the Local Rules, with or without prior notice or motion. *See* W.D. Mich. LCivR 7.2. The Court is familiar with the circumstances of this case and

reviewed the parties' motion papers before determining that a 25-page limit was appropriate for Plaintiff's proposed challenge to the rulings contained in the Magistrate Judge's consolidated "Report and Recommendation; Order; Referral" (ECF No. 234) and any response by Defendants. Plaintiff's motion merely presents the same issues ruled upon by the Court. Therefore:

IT IS HEREBY ORDERED that Plaintiff's "Emergency Motion for Reconsideration and/or Clarification of Judge Janet Neff's April 21, 2020 Order Granting in Part and Denying in Part Plaintiff's Emergency Motion for Clarification" (ECF No. 258) is DENIED.

Dated: April 22, 2020

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge